

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL CASE NO. 3:20-cv-00453-MR**

**RAMON GIVENS,**

**Plaintiff,**

**vs.**

**J.C. MOORE, et al.,**

**Defendants.**

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**ORDER**

**THIS MATTER** is before the Court on periodic review of the docket.

The Complaint passed initial review on the *pro se* incarcerated Plaintiff's claims that Defendants used excessive force and/or failed to intervene in a use of excessive force. [Docs. 22, 25]. Summons were electronically issued to the U.S. Marshal for service on Defendants Banham, Burch and Zederbaum on June 15, 2021, but no returns of service for these Defendants have been filed to date.

In actions brought *in forma pauperis* under § 1915(d), "[t]he officers of the court shall issue and serve all process, and perform all duties in such cases." 28 U.S.C. § 1915(d); see Fed. R. Civ. P. 4(c)(3) ("At the plaintiff's request, the court may order that service be made by a United States marshal or deputy marshal or by a person specially appointed by the court.

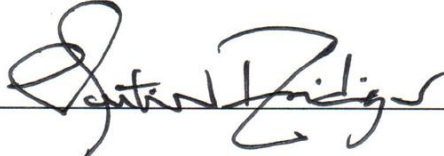
The court must so order if the plaintiff is authorized to proceed in forma pauperis under 28 U.S.C. § 1915....”).

The U.S. Marshal is instructed to inform the Court within 14 days of the status of its attempts to locate and serve Defendants Banham, Burch, and Zederbaum.

**IT IS, THEREFORE, ORDERED** that the U.S. Marshal shall inform the Court within 14 days of this Order of the status of its efforts to locate and serve **Defendants Banham, Burch, and Zederbaum.**

**IT IS SO ORDERED.**

Signed: September 9, 2021

  
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Martin Reidinger  
Chief United States District Judge

